

DETAILED ACTION

1. Claims 1-2, 5-6, 8, 11-14 are amended in the amendment filed on 04/08/2008. Claims 1-14 are pending in this application.

Allowable Subject Matter

2. Claims 1-14 are allowed.

The following is an examiner's statement of reasons for allowance:

As to claims 1, 6 and 11-14, the amendment filed on 04/08/2008 has overcome the 112 rejection and the examiner agrees to the applicant argument filed on 11/13/2007 that "Masui does not disclose that an image word is a part of music data to be selected. Thus Masui does not disclose configuration only a part of the music data as recited...." on pages 14-15 which also indicated in the last Office Action dated on 02/07/2008. Claims 2-5, 7-10 depended on Claims 1 and 6 are allowed under the same reason as to claim 1 and 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lumelsky (US. Patent No. 6,081,780)

Patent date: 07/27/2000.

Art Unit: 2162

Wang et al. Content-based UEP: a new scheme for packet loss recovery in music streaming, International Multimedia of the eleven ACM international conference on Multimedia, 2003, pages 412-421.

Bell et al. A call for the home media network, Communication of the ACM, Vol. 45, Issue. 7, July 2002, pages 71-75.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041, or unofficial fax number for the purpose of discussion (571) 273-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) 273-8300 [Official Communication]

/Baoquoc N To/
Primary Examiner, Art Unit 2162
06/08/2008

Art Unit: 2162